

E. MARTIN ESTRADA  
United States Attorney  
BENJAMIN R. BARRON  
Assistant United States Attorney  
Chief, Santa Ana Branch Office  
BRADLEY E. MARRETT (Cal. Bar No. 288079)  
Assistant United States Attorneys  
Ronald Reagan Federal Bldg. & U.S. Courthouse  
411 West 4th Street, Suite 8000  
Santa Ana, California 92701  
Telephone: (714) 338-3505  
Facsimile: (714) 338-3561  
E-mail: bradley.marrett@usdoj.gov

Attorneys for Plaintiff  
UNITED STATES OF AMERICA

UNITED STATES DISTRICT COURT

FOR THE CENTRAL DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

KHALID SIDDIQI,

Defendant.

No. SA CR 22-00128-FWS

GOVERNMENT'S SENTENCING POSITION  
FOR DEFENDANT KHALID SIDDIQI;  
DECLARATION OF BRADLEY E. MARRETT

Date: May 4, 2023  
Time: 1:30 p.m.

The government submits its sentencing position for defendant  
Khalid Siddiqi.

Dated: April 17, 2023

/s/  
BRADLEY E. MARRETT  
Assistant United States Attorneys

Attorneys for Plaintiff  
UNITED STATES OF AMERICA

1 **I. INTRODUCTION**

2 Defendant Khalid Siddiqi sent over 450 threatening  
3 communications to various law enforcement and government agencies  
4 over the course of six months. The threats escalated over that  
5 period, culminating in a series of threats to the Federal Bureau of  
6 Investigation and the "1 minute agent" in August 2022, which are the  
7 threats charged in the Indictment and the Count to which defendant  
8 pleaded guilty.

9 In view of the seriousness and scope of defendant's escalating  
10 threats, as well as defendant's personal history and characteristics  
11 that likely precipitated the threats, and in accordance with the plea  
12 agreement, the government recommends a low-end sentence of 10 months'  
13 imprisonment, followed by a three-year period of supervised release,  
14 and a special assessment of \$100.

15 **II. BACKGROUND**

16 On March 23, 2023, defendant pleaded guilty to Count 9 of the  
17 Indictment, which charged defendant with Threats By Interstate  
18 Communications, in violation of 18 U.S.C. § 875(c). Defendant  
19 Siddiqi admitted to the facts in Paragraph 9 of his plea agreement,  
20 (ECF 39, Plea Agreement ¶ 9), which included the following:

21 Between January and August 2022, defendant KHALID SIDDIQI  
22 sent over 450 threatening communications to various law  
23 enforcement and governmental agencies, primarily through  
24 online portals associated with those agencies. By August  
25 2022, SIDDIQI's threats became more particularized and  
26 frequent. Between August 7, 2022 and August 10, 2022,  
27 SIDDIQI sent eleven true threats from Orange County,  
28 California to the Federal Bureau of Investigation ("FBI")  
via the FBI's Internet tip line portal in West Virginia.  
SIDDIQI's true threats included the following:

On August 7, 2022: "I'm going to fuck up at least one FBI  
agent so you can pick any one or I will choose one myself!  
I will get at least one fucking bitch FBI agent! Fuck your  
badge."

1 On August 8, 2022: "I will suicide bomb the FBI agent I  
 2 nicknamed the 1 minute agent! I live 1 minute away from  
 3 the police station! He's been hurting me for 15 years! He  
 4 took my children from me and I never even spoke to an FBI  
 5 agent before in my life! I will murder his entire family.  
 It is my life mission to find that bitch motherfucker and  
 make him pay with every drop of blood in his body by god I  
 swear I will!"

6 On August 9, 2022: "1 minute agent come out come out  
 7 wherever you are! I'm looking for you motherfucker! I am  
 8 going to get you back in this life and the next life! I  
 9 feel bad for you and your family! I am going to rip you  
 out of the history books and I am going to fucking make  
 sure that everyone who ever lived or lives never knew you  
 fucking ever existed! Special request to the almighty!"

10 On August 9, 2022: "I will rip you FBI agents to shreds! I  
 11 will fucking eat you alive! I will take your souls! I  
 12 would bury your fucking bodies! I will fucking murder your  
 13 fucking families! I will fucking hang you! I will fucking  
 burn down your houses! I will fucking set bombs in your  
 cars! I will fucking take a bazooka and blast your ass!"

14 Defendant admits that defendant knowingly transmitted in  
 15 interstate commerce each of the communications alleged in  
 16 the Indictment, each of which contained a threat to injure  
 17 the person of another. Defendant admits that these  
 communications were transmitted for the purpose of issuing  
 a threat and with knowledge that the communications would  
 be viewed as a threat.

### 18 **III. GUIDELINES CALCULATIONS**

19 The government calculates the Sentencing Guidelines as follows:

20	Base offense level:	12	U.S.S.G. § 2A6.1(a)
21	>2 Threats:	+2	U.S.S.G. § 2A6.1(b) (2)
22	Acceptance:	-2	U.S.S.G. § 3E1.1

23 The USPO has determined that defendant is in criminal history  
 24 category I. (MPSR ¶ 12.) The government has no objection to the  
 25 USPO's calculation of defendant's criminal history. The resulting  
 26 sentencing range for an offense level 12 and criminal history  
 27 category I is 10-16 months.

1 **IV. GOVERNMENT'S SENTENCING RECOMMENDATION**

2 If the Court concurs in the government's sentencing guidelines  
3 calculation, resulting in an offense level of 12, the advisory  
4 guidelines range is 10-16 months. In view of the mitigating  
5 circumstances identified in the sealed competency examination report  
6 (ECF 33), and in accordance with the plea agreement, the government  
7 recommends a sentence at the low-end of the advisory guidelines  
8 range: 10 months' incarceration, followed by three years of  
9 supervised release.

10 The government submits that its recommended sentence is  
11 sufficient, but not greater than necessary, to address the offense  
12 taking into account all the factors the Court must consider under 18  
13 U.S.C. § 3553(a), including defendant's offense conduct, his physical  
14 health history, his educational history, his familial ties and  
15 responsibilities, and his efforts toward rehabilitation.

16 In particular, the government notes that while defendant is  
17 competent to participate in these proceedings, there is an underlying  
18 narcotics addiction and mental health diagnoses that went previously  
19 unaddressed and untreated. A term of custody is warranted to protect  
20 the public from defendant, and a three-year term of supervised  
21 release is warranted to ensure public safety upon defendant's release  
22 and also to continue the rehabilitation efforts of defendant. The  
23 government recommends that the Court also impose a special term of  
24 supervised release that would require either or both an inpatient,  
25 dual-diagnosis drug treatment program and an outpatient mental health  
26 treatment program.

1 **V. CONCLUSION**

2 Based on the foregoing, the government recommends that this  
3 Court impose a sentence of 10 months' imprisonment followed by three  
4 years of supervised release, and a \$100 special assessment.  
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## Certificate of Service

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I am a citizen of the United States and am employed in the County of Orange, California. I am over 18 years of age, and I am not a party to the above-entitled action. My business address is the United States Attorney's Office, Ronald Reagan Federal Building and United States Courthouse, 411 West Fourth Street, Suite 8000, Santa Ana, California 92701.

I am employed by the United States Attorney for the Central District of California, who is a member of the Bar of the United States District Court for the Central District of California, at whose direction the service was made. On this date, April 19, 2023, I served a copy of the foregoing document(s), described as follows:

**GOVERNMENT'S SENTENCING POSITION FOR DEFENDANT KHALID SIDDIQI;**  
**DECLARATION OF BRADLEY E. MARRETT** in the following manner:

☐ by placing a true copy in a sealed envelope, addressed to the person(s) specified below, and placing it for interoffice delivery within the courthouse to:

☐ by placing the documents in a sealed envelope, bearing the requisite postage thereon, and placing it for mailing via the U.S. Postal Service addressed as follows:

☒ by e-mailing a pdf. version of the document(s) to the e-mail addresses specified as:

**Judith\_Tapia@cacp.uscourts.gov** (U.S. Probation)

I declare under penalty of perjury that the foregoing is true and correct, executed on April 19, 2023, at Santa Ana, California.

\_\_\_\_\_/s/  
JEAN KIM